

## AMENDMENT UNDER OAL RULE 100

### Statement of Explanation

#### Title 18. Public Revenue

##### Regulation 1591, *Medicines and Medical Devices*,

### **A. Factual Basis**

Regulation 1591 generally addresses *Medicines and Medical Devices*. The State Board of Equalization hereby proposes to amend this regulation under OAL Rule 100.

Assembly Bill (AB) 646 (Ch. 706, Statutes of 2001), operative April 1, 2002, amended Revenue and Taxation Code section 6369 to include specified clinics in the definition of a health facility for purposes of the exemption from sales and use tax for medicines furnished by a health facility. As a result of those statutory changes, the Board has concluded that the corresponding regulatory provisions should also be changed. Proposed amendments to Regulation 1591 also include two grammatical revisions. These revisions are appropriate for processing under section 100 because they make the regulation consistent with a statutory change.

### **B. Proposed Amendments**

Subdivision (a) - operative language regarding specified clinics in the definition of a health facility for purposes of the exemption from sales and use tax for medicines furnished by a health facility added.

Subdivisions (f) and (g) - grammatical revisions.

Reference- Health and Safety Code sections 1200, 1200.1, 1204.1, and 1250 added to the list of references.

The foregoing changes are appropriate for processing under Rule 100 because they make the regulation consistent with statutory changes and change reference citations.